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Name (Print) Signature

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Customer No.: 32801 **Docket No: 00630/100G703-US2**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Mark Evans et al. **Confirmation No.: 3104**

Serial No.: 09/924,946 **Art Unit: 1652**

Filed: August 8, 2001 **Examiner: Y.D. Pak**

For: A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY

PETITION UNDER 37 C.F.R. § 1.183

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 18, 2004

Sir:

This is a petition under 37 C.F.R. §1.183 requesting that the requirements of 37 C.F.R. §1.48(a)(2) be waived and that the inventorship be corrected without a statement of inventorship from Jianxiong Zhang in the above-identified patent application.

Jianxiong Zhang was originally named an inventor on the above-noted patent application. However, an investigation of inventorship has since determined that Jianxiong Zhang was not an inventor. As discussed below, several attempts have been made to contact Jianxiong Zhang to sign the statement to remove him as an inventor pursuant to 37 C.F.R. §1.48(a)(2), however he has been unavailable to sign the document.

Applicants' representatives have attempted to reach Jianxiong Zhang at home by mail and by telephone (telephone messages were left both in English and in Mandarin Chinese); however, he has not responded to either mail or telephone attempts to reach him. These attempts were made to the following last known address at which he customarily received mail and his last known telephone number:

128 Eaton Drive; Wayne PA, 19087: 610-688-0941

The annexed Exhibit A is a letter sent to Mr. Zhang on October 1, 2003 by UPS asking Mr. Zhang to review the claims of the application, verify statements made in the Declaration and if appropriate, execute the enclosed declaration. Mr. Zhang never acknowledged receipt of this letter and did not return the enclosed declaration.

The documents annexed as Exhibit B were sent to Mr. Zhang on December 18, 2003 by Certified Mail. These documents include a cover letter to Mr. Zhang asking him to review the claims of the application, verify statements made in the Declaration and if appropriate, execute the enclosed declaration; the pending claims; and a Declaration for his execution. Mr. Zhang signed the Certified Mail receipt in December 2003 (his signed receipt is attached as Exhibit C), but never otherwise acknowledged receipt of these documents and did not return (signed or unsigned) the enclosed declaration.

The documents annexed as Exhibit D were sent to Mr. Zhang on January 28, 2004 by Certified Mail. These documents include two cover letters to Mr. Zhang asking him to review the claims of the application, verify statements made in the Declaration and if appropriate, execute the enclosed declaration; the pending claims; and a Declaration for his execution. Mr. Zhang never signed the Certified Mail receipt and these documents were returned to us by the U.S. Postal Service as "unclaimed." Attached as Exhibit E is a copy of the "unclaimed" returned envelope, documenting that although sent to his last known address, Mr. Zhang was unavailable to receive these documents.

The documents annexed as Exhibit F were sent to Mr. Zhang on February 26, 2004 by Certified Mail. These documents again include two cover letters to Mr. Zhang asking him to review the claims of the application, verify statements made in the Declaration and if appropriate, execute the enclosed declaration; the pending claims; and a Declaration for his execution. Mr. Zhang never

signed the Certified Mail receipt and these documents were again returned to us by the U.S. Postal Service as "unclaimed." Attached as Exhibit G is a copy of the "unclaimed" returned envelope, documenting that although sent to his last known address, Mr. Zhang was unavailable to receive these documents.

Throughout November 2003 and January 2004, Applicants' representatives made numerous attempts to call the inventor at his last known phone number. A voicemail message was left each time requesting that Mr. Zhang call Applicants' representatives. In addition, at least three messages were left in Mandarin Chinese, as Applicants indicated that it was possible that Mr. Zhang's family may speak this language. None of these phone calls to Mr. Zhang was returned.

All diligent attempts to contact Mr. Zhang thus far have been unsuccessful. All executed documents have been prepared for submission to correct inventorship in the present application, except for the statement to be executed by Jianxiong Zhang.

In view of the foregoing and the accompanying petition pursuant to 37 C.F.R. §1.48(a, the undersigned respectfully requests that the requirements of 37 C.F.R. §1.48(a)(2) be waived and that the inventorship be corrected in the above-identified patent application, by removing Jianxiong Zhang as an inventor.

The required petition fee of $130.00 as specified in 37 C.F.R. §1.17(h) is enclosed.

Respectfully submitted,

Heather Morehouse Ettinger

Dated: May 18, 2004

Heather Morehouse Ettinger, Ph.D.
Attorney Reg. No.: 51,658
Agent for Applicants

DARBY & DARBY, P.C.
Post Office Box 5257
New York, N.Y. 10150-5257
Phone (212) 527-7700

Express Mail Label No. Dated: _____

Docket No.: 00630/100G703-US2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mark Evans et al.

Confirmation No.: 3104

Application No.: 09/924,946

Art Unit: 1652

Filed: August 8, 2001

Examiner: Y. D. Pak

For: A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY

PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.48(b)

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a petition pursuant to 37 C.F.R. §1.48(b) to correct inventorship of the above-identified patent application. As originally filed, the above-identified application names Mark Evans, Marshall Scicchitano, Ashok Bapat, Ramesh Bhat, Robert Mastroeni, Sotirios Karathanasis, Elissa Ferris, Eric Beer, and Jianxiong Zhang, as inventors. The present petition seeks to delete Elissa Ferris as an inventor. An accompanying petition pursuant to 37 C.F.R. § 1.48(a) seeks to delete Eric Beer and Jianxiong Zhang as inventors.

As a result of claim amendments made during prosecution (i.e., as amended in the attached Response and Amendment pursuant to 37 C.F.R. §1.116), Dr. Elissa Ferris is no longer a co-inventor of subject material recited in any of the pending claims. Accordingly, it is requested that Dr. Ferris be removed as inventors of the above-identified application.

The required petition fee of $130.00 as specified in 37 C.F.R. §1.17(i) is enclosed.

05/24/2004 AWONDAF1 00000087 09924946
03 FC:1460 130.00 OP

In consideration of the foregoing it is respectfully requested that the Patent and Trademark Office amend the inventorship of this application by deleting the name of Elissa Ferris as co-inventor.

Dated: May 18, 2004

Respectfully submitted,

By Heather Morehouse Ettinger

Heather Morehouse Ettinger, Ph.D.
Registration No.: 51,658
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7700
(212) 753-6237 (Fax)
Attorneys/Agents For Applicant

Express Mail Label No. Dated: _____

Docket No.: 00630/100G703-US2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mark Evans et al.

Confirmation No.: 3104

Application No.: 09/924,946

Art Unit: 1652

Filed: August 8, 2001

Examiner: Y. D. Pak

For: A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY

PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.48(a)

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a petition pursuant to 37 C.F.R. §1.48(a) to correct inventorship of the above-identified patent application. As originally filed, the above-identified application names Mark Evans, Marshall Scicchitano, Ashok Bapat, Ramesh Bhat, Robert Mastroeni, Sotirios Karathanasis, Elissa Ferris, Eric Beer, and Jianxiong Zhang as inventors. The present petition seeks to delete Eric Beer and Jianxiong Zhang as inventors. An accompanying petition pursuant to 37 C.F.R. §1.48(b) seeks to delete Elissa Ferris as an inventor.

This petition is supported by the accompanying:

(a) Declaration of Eric Beer, in which the declarant avers that the error in inventorship in the above-identified application occurred through error and without deceptive intention on his part (Exhibit A);

(b) Declaration and Power of Attorney executed by all the inventors (Mark Evans, Marshall Scicchitano, Ashok Bapat, Ramesh Bhat, Robert Mastroeni, and Sotirios Karathanasis) (Exhibit B); and

(c) Consent of Assignee Wyeth (Exhibit C).

(d) Petition under 37 C.F.R. § 1.183 to suspend rules for a Statement from Jianxiong Zhang, who is "unavailable";

The required petition fee of $130.00 as specified in 37 C.F.R. §1.17(i) is enclosed.

In consideration of the foregoing it is respectfully requested that the Patent and Trademark Office amend the inventorship of this application by deleting the names of Eric Beer and Jianxiong Zhang as co-inventors.

Dated: May 18, 2004

Respectfully submitted,

By 

Heather Morehouse Ettinger, Ph.D.
Registration No.: 51,658
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7700
(212) 753-6237 (Fax)
Attorneys/Agents For Applicant

EXPRESS MAIL CERTIFICATE
Date _____ Label No._____
I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service and that it was addressed for delivery to Mail Stop NF Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

_____ _____
Name (Print) Signature

PLEASE CHARGE ANY DEFICIENCY UP TO $300.00 OR CREDIT ANY EXCESS IN **FUTURE** FEES DUE WITH RESPECT TO THIS APPLICATION TO OUR DEPOSIT ACCOUNT NO. 04-0100

Customer No. 32801

Docket No: 00630/100G703-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark Evans et al.

Serial No.: 09/924,946 Art Unit: 1652

Confirmation No.: 3104

Filed: August 8, 2001 Examiner: Yong D. Pak

For: **A Novel Member of the Lysyl Oxidase Gene Family**

STATEMENT PURSUANT TO 37 C.F.R. §3.73(b)
and
CONSENT OF ASSIGNEE FOR THE CORRECTION OF INVENTORSHIP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Wyeth, a corporation organized under the laws of Delaware and having offices and doing business at Five Giralda Farms, Madison NJ, 07940, states that it is the assignee of the entire right, title, and interest in the above-identified patent application by virtue of an assignment from the inventors. The assignment was recorded in the United States Patent and Trademark Office on February 20, 2002, at Reel 012633, Frame 0301.

The undersigned is authorized to act on behalf of the assignee.

{M:\0630\1g703\00056442.DOC *06301G703* }

On behalf of the named Assignee of all rights to the above-identified application, Wyeth, Five Giralda Farms, Madison NJ, 07940, the undersigned authorized signatory, hereby consents and agrees to the Correction of Inventorship under 37 C.F.R. §1.48(a) submitted concurrently herewith. The undersigned authorized signatory hereby consents to the correction of inventorship to delete as named co-inventors:

Elissa Ferris, Eric Beer, and Jianxiong Zhang.

Wyeth

By_____
Gale F. Matthews
Assistant Secretary

Date 10/6/03

SUPPLEMENTAL DECLARATION
AND POWER OF ATTORNEY

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below, of the invention entitled:

A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY

which is described and claimed in:

1. the specification in application Serial No. 09/924,946, filed August 8, 2001;

2. the amendment filed January 13, 2003; and

3. the amendment to delete inventors filed concurrently herewith,

that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 CFR §1.56. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I hereby claim the priority benefits under 35 U.S.C. §119 of any application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED

COUNTRY	APPLICATION NO.	DATE OF FILING
USA	60/255,838	12/15/00
USA	60/223,763	8/8/00

ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED

COUNTRY	APPLICATION NO.	DATE OF FILING

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith:

Practitioners at Customer Number **32801**

Customer number

all of Wyeth, Five Giralda Farms, Madison, New Jersey 07940, and

all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022.

SEND CORRESPONDENCE TO:

DARBY & DARBY P.C.
805 Third Avenue
New York, NY 10022

DIRECT TELEPHONE CALLS TO:

Paul F. Fehlner, Ph.D.

212-527-7700

FULL NAME AND RESIDENCE OF INVENTOR 1

LAST NAME: Evans FIRST NAME: Mark MIDDLE NAME: J.

CITY: Radnor STATE OR FOREIGN COUNTRY: PA COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 617 Twin Bridge Drive CITY: Radnor STATE OR COUNTRY: PA ZIP CODE: 19087

FULL NAME AND RESIDENCE OF INVENTOR 2

LAST NAME: Scicchitano FIRST NAME: Marshall MIDDLE NAME: S.

CITY: Douglasville STATE OR FOREIGN COUNTRY: PA COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 104 Meadowcrest Lane CITY: Douglasville STATE OR COUNTRY: PA ZIP CODE: 19518

FULL NAME AND RESIDENCE OF INVENTOR 3

LAST NAME: Bapat FIRST NAME: Ashok MIDDLE NAME: R.

CITY: Blue Bell STATE OR FOREIGN COUNTRY: PA COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 1429 Sullivan Drive CITY: Blue Bell STATE OR COUNTRY: PA ZIP CODE: 19422

FULL NAME AND RESIDENCE OF INVENTOR 4

LAST NAME: Bhat FIRST NAME: Ramesh MIDDLE NAME: A.

CITY: King of Prussia STATE OR FOREIGN COUNTRY: PA COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 738 Champlain Drive CITY: King of Prussia STATE OR COUNTRY: PA ZIP CODE: 19406

FULL NAME AND RESIDENCE OF INVENTOR 5

LAST NAME: Mastroeni FIRST NAME: Robert MIDDLE NAME:

CITY: Plymouth Meeting STATE OR FOREIGN COUNTRY: PA COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 357 Maiden Lane CITY: Plymouth Meeting STATE OR COUNTRY: PA ZIP CODE: 19462

FULL NAME AND RESIDENCE OF INVENTOR 6

LAST NAME: Karathanasis FIRST NAME: Sotirios MIDDLE NAME: K.

CITY: Saline STATE OR FOREIGN COUNTRY: MI COUNTRY OF CITIZENSHIP: Greece

POST OFFICE ADDRESS: 4498 Saline-Waterworks Road CITY: Saline STATE OR COUNTRY: MI ZIP CODE: 48176

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

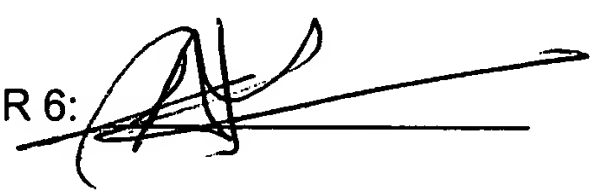
SIGNATURE OF INVENTOR 1: _____ DATED: _____

SIGNATURE OF INVENTOR 2: _____ DATED: _____

SIGNATURE OF INVENTOR 3: _____ DATED: _____

SIGNATURE OF INVENTOR 4: _____ DATED: _____

SIGNATURE OF INVENTOR 5: _____ DATED: _____

SIGNATURE OF INVENTOR 6:  DATED: Oct 4, 2003

Customer No.: 32801

Docket No.: 00630/100G703-US2

SUPPLEMENTAL DECLARATION
AND POWER OF ATTORNEY

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below, of the invention entitled:

A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY

which is described and claimed in:

1. the specification in application Serial No. 09/924,946, filed August 8, 2001;
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As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith:

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Customer number

all of Wyeth, Five Giralda Farms, Madison, New Jersey 07940, and

all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022.

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805 Third Avenue
New York, NY 10022

DIRECT TELEPHONE CALLS TO:

Paul F. Fehlner, Ph.D.

212-527-7700

FULL NAME AND RESIDENCE OF INVENTOR 1

LAST NAME: Evans FIRST NAME: Mark MIDDLE NAME: J.

CITY: Radnor STATE OR FOREIGN COUNTRY: PA COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 617 Twin Bridge Drive CITY: Radnor STATE OR COUNTRY: PA ZIP CODE: 19087

FULL NAME AND RESIDENCE OF INVENTOR 2

LAST NAME: Scicchitano FIRST NAME: Marshall MIDDLE NAME: S.

CITY: Douglasville STATE OR FOREIGN COUNTRY: PA COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 104 Meadowcrest Lane CITY: Douglasville STATE OR COUNTRY: PA ZIP CODE: 19518

FULL NAME AND RESIDENCE OF INVENTOR 3

LAST NAME: Bapat FIRST NAME: Ashok MIDDLE NAME: R.

CITY: Blue Bell STATE OR FOREIGN COUNTRY: PA COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 1429 Sullivan Drive CITY: Blue Bell STATE OR COUNTRY: PA ZIP CODE: 19422

FULL NAME AND RESIDENCE OF INVENTOR 4

LAST NAME: Bhat FIRST NAME: Ramesh MIDDLE NAME: A.

CITY: King of Prussia STATE OR FOREIGN COUNTRY: PA COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 738 Champlain Drive CITY: King of Prussia STATE OR COUNTRY: PA ZIP CODE: 19406

FULL NAME AND RESIDENCE OF INVENTOR 5

LAST NAME: Mastroeni FIRST NAME: Robert MIDDLE NAME:

CITY: Plymouth Meeting STATE OR FOREIGN COUNTRY: PA COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 357 Maiden Lane CITY: Plymouth Meeting STATE OR COUNTRY: PA ZIP CODE: 19462

FULL NAME AND RESIDENCE OF INVENTOR 6

LAST NAME: Karathanasis FIRST NAME: Sotirios MIDDLE NAME: K.

CITY: Saline STATE OR FOREIGN COUNTRY: MI COUNTRY OF CITIZENSHIP: Greece

POST OFFICE ADDRESS: 4498 Saline-Waterworks Road CITY: Saline STATE OR COUNTRY: MI ZIP CODE: 48176

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1: _____ DATED: _____

SIGNATURE OF INVENTOR 2: Marshall S Karathanasis DATED: 10/1/03

SIGNATURE OF INVENTOR 3: _____ DATED: _____

SIGNATURE OF INVENTOR 4: _____ DATED: _____

SIGNATURE OF INVENTOR 5: _____ DATED: _____

SIGNATURE OF INVENTOR 6: _____ DATED: _____

Customer No.: 32801

Docket No.: 00630/100G703-US2

SUPPLEMENTAL DECLARATION
AND POWER OF ATTORNEY

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below, of the invention entitled:

A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY

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1. the specification in application Serial No. 09/924,946, filed August 8, 2001;

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3. the amendment to delete inventors filed concurrently herewith,

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COUNTRY	APPLICATION NO.	DATE OF FILING
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USA	60/223,763	8/8/00

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COUNTRY	APPLICATION NO.	DATE OF FILING

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith:

Practitioners at Customer Number **32801**

Customer number

all of Wyeth, Five Giralda Farms, Madison, New Jersey 07940, and

all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022.

SEND CORRESPONDENCE TO:

DARBY & DARBY P.C.
805 Third Avenue
New York, NY 10022

DIRECT TELEPHONE CALLS TO:

Paul F. Fehlner, Ph.D.

212-527-7700

FULL NAME AND RESIDENCE OF INVENTOR 1

LAST NAME: Evans FIRST NAME: Mark MIDDLE NAME: J.

CITY: Radnor STATE OR FOREIGN COUNTRY: PA COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 617 Twin Bridge Drive CITY: Radnor STATE OR COUNTRY: PA ZIP CODE: 19087

FULL NAME AND RESIDENCE OF INVENTOR 2

LAST NAME: Scicchitano FIRST NAME: Marshall MIDDLE NAME: S.

CITY: Douglasville STATE OR FOREIGN COUNTRY: PA COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 104 Meadowcrest Lane CITY: Douglasville STATE OR COUNTRY: PA ZIP CODE: 19518

FULL NAME AND RESIDENCE OF INVENTOR 3

LAST NAME: Bapat FIRST NAME: Ashok MIDDLE NAME: R.

CITY: Blue Bell STATE OR FOREIGN COUNTRY: PA COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 1429 Sullivan Drive CITY: Blue Bell STATE OR COUNTRY: PA ZIP CODE: 19422

FULL NAME AND RESIDENCE OF INVENTOR 4

LAST NAME: Bhat FIRST NAME: Ramesh MIDDLE NAME: A.

CITY: King of Prussia STATE OR FOREIGN COUNTRY: PA COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 738 Champlain Drive CITY: King of Prussia STATE OR COUNTRY: PA ZIP CODE: 19406

FULL NAME AND RESIDENCE OF INVENTOR 5

LAST NAME: Mastroeni FIRST NAME: Robert MIDDLE NAME:

CITY: Plymouth Meeting STATE OR FOREIGN COUNTRY: PA COUNTRY OF CITIZENSHIP: USA

POST OFFICE ADDRESS: 357 Maiden Lane CITY: Plymouth Meeting STATE OR COUNTRY: PA ZIP CODE: 19462

FULL NAME AND RESIDENCE OF INVENTOR 6

LAST NAME: Karathanasis FIRST NAME: Sotirios MIDDLE NAME: K.

CITY: Saline STATE OR FOREIGN COUNTRY: MI COUNTRY OF CITIZENSHIP: Greece

POST OFFICE ADDRESS: 4498 Saline-Waterworks Road CITY: Saline STATE OR COUNTRY: MI ZIP CODE: 48176

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1: _____ DATED: 10/2/03

SIGNATURE OF INVENTOR 2: _____ DATED: _____

SIGNATURE OF INVENTOR 3: _____ DATED: 10/2/03

SIGNATURE OF INVENTOR 4: _____ DATED: 10/2/03

SIGNATURE OF INVENTOR 5: _____ DATED: 10/3/03

SIGNATURE OF INVENTOR 6: _____ DATED: _____

EXPRESS MAIL CERTIFICATE

Date _____ Label No. _____

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

_____ _____
Name (Print) Signature

PLEASE CHARGE ANY DEFICIENCY OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04 – 0100

Customer No.: 32801

Docket No: 00630/100G703-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark Evans et al.

Serial No.: 09/924,946

Examiner: Yong D. Pak

Confirmation No.: 3104

Filed: August 8, 2001

Group Art Unit: 1652

For: A Novel Member of the Lysyl Oxidase Gene Family

DECLARATION OF ERIC BEER

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Eric Beer of 232 Main Street, Hanover, MA 02339, declare that:

1. I am not an inventor of the subject matter claimed in the above-identified patent application.

2. The error in inventorship in the above-identified patent application arose through error and without deceptive intent on my part. I was mistakenly identified as an inventor when the patent application was filed because my only contribution to the research was providing technical support to the actual inventors. Specifically, I was a member of the

sequencing team and the work I did in relation to the present invention therefore consisted solely of taking orders from the actual inventors to sequence plasmids. Accordingly, I did not contribute intellectually to the present invention and should not have been named as an actual inventor.

It is further declared that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patents.

Dated: ~~10/9~~ 10/9/, 2003

By: Eric M. Beer

Eric Beer

PLEASE CHARGE ANY DEFICIENCY UP TO $300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

Customer No.:32801

Docket No: 0630/1G703-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark J. EVANS et al.

Serial No.: 09/924,946 Art Unit: 1652

Confirmation No.: 3104

Filed: August 8, 2001 Examiner: Michael C. Wilson

For: **A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY**

DECLARATION UNDER 37 C.F.R. § 1.131

Mail Stop Non-Fee Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, Mark J. EVANS, Marshall S. SCICCHITANO, Ashok R. BAPAT, Ramesh A. BHAT, Robert MASTROENI, and Sotirios K. KARATHANASIS hereby declare and state as follows:

1. Mark J. Evans, Marshall S. Scicchitano, Ashok R. Bapat, Ramesh A. Bhat, and Robert Mastroeni are citizens of the United States, and Sotirios K. Karanthanasis is a citizen of Greece. We are more than twenty-one years of age.

2. We are the inventors of the above-identified application.

3. We re-affirm our duty of candor and good faith in dealing with the Office, including the duty to disclose to the Office all information known to be material to the patentability of the invention as defined in 37 C.F.R. § 1.56.

4. We have read and are familiar with the instant application as it was filed in the U.S. Patent and Trademark Office.

5. We have read and are familiar with the reference of Meyers U.S. Publication 2002/0068322 entitled "47765, A Novel Human Lysyl Oxidase and Uses Thereof" published June 6, 2002 and which claims priority to May 26, 2000 (hereinafter the "Meyers reference").

6. Prior to May 26, 2000, the effective date of the Meyers reference, we had conceived and completed the invention as described and claimed in the subject application.

7. As evidence that our work antedates the Meyers reference, we refer to Exhibit 1. Dates, along with privileged information, appearing in this document have been redacted. Exhibit 1 documents the conception and reduction to practice of our invention at a time prior to May 26, 2000. Specifically, page 1 of Exhibit 1 shows that we had the clone D3E11 in our possession at a time prior to May 26, 2000 and that this clone had a cDNA insert of the expected size for a full length EER-7. Pages 2-3 of Exhibit 1 show that we had obtained

the full-length nucleotide sequence of EER-7 at a time prior to May 26, 2000. The documents submitted herewith as Exhibit 1 were created at a time prior to May 26, 2000.

8. We further declare that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true. We further declare that these statements are made with the knowledge that the willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the instant application or of any patent issued thereupon.

Respectfully submitted,

8/7/03
DATE

Mark J. EVANS

DATE

Marshall S. SCICCHITANO

8/10/03
DATE

Ashok R. BAPAT

8/11/03
DATE

Ramesh A. BHAT

8/11/03
DATE

Robert MASTROENI

DATE

Sotirios K. KARATHANASIS

the full-length nucleotide sequence of EER-7 at a time prior to May 26, 2000. The documents submitted herewith as Exhibit 1 were created at a time prior to May 26, 2000.

8. We further declare that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true. We further declare that these statements are made with the knowledge that the willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the instant application or of any patent issued thereupon.

Respectfully submitted,

DATE	Mark J. EVANS
8/7/03	Marshall S. Sicchitano
DATE	Marshall S. SCICCHITANO
DATE	Ashok R. BAPAT
DATE	Ramesh A. BHAT
DATE	Robert MASTROENI
DATE	Sotirios K. KARATHANASIS

the full-length nucleotide sequence of EER-7 at a time prior to May 26, 2000. The documents submitted herewith as Exhibit 1 were created at a time prior to May 26, 2000.

8. We further declare that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true. We further declare that these statements are made with the knowledge that the willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the instant application or of any patent issued thereupon.

Respectfully submitted,

DATE	Mark J. EVANS
DATE	Marshall S. SCICCHITANO
DATE	Ashok R. BAPAT
DATE	Ramesh A. BHAT
DATE	Robert MASTROENI
Oct 4, 2003 DATE	Sotirios K. KARATHANASIS

United States Patent and Trademark Office

PATENT APPLICATION INFORMATION RETRIEVAL

Search results for publication number:US 2003-0059919 A1			
Application Number:	10/160,501	Customer Number:	-
Filing or 371(c) Date:	05-30-2002	Status:	Docketed New Case - Ready for Examination
Application Type:	Utility	Status Date:	01-22-2003
Examiner Name:	PATTERSON, CHARLES L JR	Location:	ELECTRONIC
Group Art Unit:	1652	Location Date:	09-17-2003
Confirmation Number:	9586	Earliest Publication No:	US 2003-0059919 A1
Attorney Docket Number:	MNI-250	Earliest Publication Date:	03-27-2003
Class/ Sub-Class:	435/001.1	Patent Number:	-
First Named Inventor:	Rachel Meyers, Newton, MA (US)	Issue Date of Patent:	-
Title Of Invention:	Novel human 39228, 21956, 25856, 22244, 8701, 32263, 50250, 55158, 47765, 62088, 50566, and 48118 molecules and uses therefor		

Select Search Option
File History
Published Documents
Search

Parent Continuity Data			
Description	Parent Number	Parent Filing or 371(c) Date	Parent Status
This application is a Continuation-in-part of	09/838,573	04-18-2001	Pending
Which claims benefit of Provisional Application	60/197,747	04-18-2000	Abandoned
Which is a Continuation-in-part of	09/870,133	05-29-2001	Abandoned
Which claims benefit of Provisional Application	60/207,649	05-26-2000	Abandoned
Which is a Continuation-in-part of	09/870,130	05-29-2001	Abandoned
Which claims benefit of Provisional Application	60/207,640	05-26-2000	Abandoned
Which is a Continuation-in-part of	09/862,535	05-21-2001	Abandoned
Which claims benefit of Provisional Application	60/205,961	05-19-2000	Abandoned
Which is a Continuation-in-part of	09/870,383	05-29-2001	Abandoned
Which claims benefit of Provisional Application	60/207,506	05-26-2000	Abandoned
Which is a Continuation-in-part of	09/860,821	05-18-2001	Abandoned
Which claims benefit of Provisional Application	60/205,449	05-19-2000	Abandoned

Which is a Continuation-in-part of	09/870,110	05-29-2001	Abandoned
Which claims benefit of Provisional Application	60/207,650	05-26-2000	Abandoned
Which is a Continuation-in-part of	09/907,509	07-16-2001	Abandoned
Which claims benefit of Provisional Application	60/218,385	07-14-2000	Abandoned

United States Patent and Trademark Office

PATENT APPLICATION INFORMATION RETRIEVAL

Search results for application number:60/205,449			
Application Number:	60/205,449	Customer Number:	-
Filing or 371(c) Date:	05-19-2000	Status:	Provisional Application Expired
Application Type:	Provisional	Status Date:	09-22-2001
Examiner Name:	NOT, DEFINED	Location:	FILE REPOSITORY (FRANCONIA)
Group Art Unit:	-	Location Date:	06-01-2001
Confirmation Number:	8157	Earliest Publication No:	-
Attorney Docket Number:	MNI-159-1	Earliest Publication Date:	-
Class/ Sub-Class:	XXX/XXXXX	Patent Number:	-
First Named Inventor:	Rosana Kapeller-Libermann, Chesnut Hill, MA	Issue Date of Patent:	-
Title Of Invention:	55158, a novel human carbonic anhydrase and uses thereof		

Select Search Option

Continuity Data | Search

File History		
Number	Date	Contents Description
5	09-22-2001	Set Application Status
4	06-30-2000	Application Dispatched from OIPE
3	06-30-2000	Correspondence Address Change
2	06-08-2000	IFW Scan & PACR Auto Security Review
1	05-19-2000	Initial Exam Team nn

United States Patent and Trademark Office

PATENT APPLICATION INFORMATION RETRIEVAL

Search results for application number:60/197,747			
Application Number:	60/197,747	Customer Number:	-
Filing or 371(c) Date:	04-18-2000	Status:	Provisional Application Expired
Application Type:	Provisional	Status Date:	09-22-2001
Examiner Name:	NOT, DEFINED	Location:	FILE REPOSITORY (FRANCONIA)
Group Art Unit:	-	Location Date:	04-30-2002
Confirmation Number:	5083	Earliest Publication No:	-
Attorney Docket Number:	MNI-143-1	Earliest Publication Date:	-
Class/ Sub-Class:	XXX/XXXXX	Patent Number:	-
First Named Inventor:	Rachel Meyers, Newton, MA	Issue Date of Patent:	-
Title Of Invention:	39228, a novel human alcohol dehydrogenase and uses therefor		

Select Search Option

Continuity Data | Search

File History		
Number	Date	Contents Description
5	09-22-2001	Set Application Status
4	06-22-2000	Application Dispatched from OIPE
3	06-22-2000	Correspondence Address Change
2	05-08-2000	IFW Scan & PACR Auto Security Review
1	04-18-2000	Initial Exam Team nn

United States Patent and Trademark Office

PATENT APPLICATION INFORMATION RETRIEVAL

Search results for application number:60/205,961			
Application Number:	60/205,961	Customer Number:	-
Filing or 371(c) Date:	05-19-2000	Status:	Provisional Application Expired
Application Type:	Provisional	Status Date:	09-22-2001
Examiner Name:	NOT, DEFINED	Location:	FILE REPOSITORY (FRANCONIA)
Group Art Unit:	-	Location Date:	05-31-2001
Confirmation Number:	2848	Earliest Publication No:	-
Attorney Docket Number:	MNI-157-1	Earliest Publication Date:	-
Class/ Sub-Class:	XXX/XXXXX	Patent Number:	-
First Named Inventor:	Rachel Meyers, Newton, MA	Issue Date of Patent:	-
Title Of Invention:	32263, a novel human biotin enzyme and uses therefor		

File History		
Number	Date	Contents Description
5	09-22-2001	Set Application Status
4	08-08-2000	Application Dispatched from OIPE
3	08-08-2000	Correspondence Address Change
2	06-12-2000	IFW Scan & PACR Auto Security Review
1	05-19-2000	Initial Exam Team nn

Book No.___ TITLE ___

age No.___

Sequencing core obtained multiple sequences from EER-7 placenta clone 6605

Transform EER7 placenta 6605 to DH5α
EER7 placenta 03E11

Individual transformant streaked out

Individual colony of each inoculated into 250 ml LB temp
Plasmid Prep by Qiagen
Resuspend in 100 µl TE Digest 2 µg each with EcoRI + SalI

6605 03E11

```
* SELF TEST *
   COMPLETED

ID# :      TST22
ABS RATIO
RUN TIME      0.2 MIN

      260 NM 280.0NM
MINUTES ABS 1  ABS 2
 0.0      123    .068
RATIO      1.796
```

03 E11

```
:  :      TST22
   RATIO
   TIME      0.2 MIN

      260.0NM 280.0NM
MINUTES ABS 1  ABS 2
 0.0      .070    .040
RATIO      1.745
```

6605

To Page No.___

ed & Understood by me, Date Invented by Date

J Varnish

Recorded by

TOTAL P.02

D3E11 cDNA.seq

Reverse Complement DNA Sequence D3E11 complete sequence.SEQ(1,4278)
Created:

-

```
        10        20        30        40        50        60        70
GCTGGGCTTCCCCAGCGAGGTGCCTGTCGACAGCCACTACTACAGGAAAGTCTGGGATCTGAAGATGAGG 70
GACCCTAAGTCTAGGCTGAAGAGCCTGACGAATAAGAACTCCTTCTGGATCCACCAGGTCACCTGCCTGG 140
GGACAGAGCCCCACATGGCCAACTGCCAGGTGCAGGTGGCTCCAGCCCGGGGCAAGCTGCGGCCAGCCTG 210
CCCAGGTGGCATGCATGCTGTGGTCAGCTGTGTGGCAGGGCCTCACTTCCGCCCACCGAAGACAAAGCCA 280
CAACGCAAAGGGTCCTGGGCAGAGGAGCCGAGGGTGCGCCTGCGCTCCGGGGCCCATGTGGGCGAGGGCC 350
        360       370       380       390       400       410       420
GGGTGGAAGTGCTCATGAACCGCCAGTGGGGCACGGTCTGTGACCACAGGTGGAACCTCATCTCTGCCAG 420
TGTCGTGTGTCGTCAGCTGGGCTTTGGCTCTGCTCGGGAGGCCCTCTTTGGGGCCCGGCTGGGCCAAGGG 490
CTAGGGCCCATCCACCTGAGTGAGGTGCGCTGCAGGGGATATGAGCGGACCCTCAGCGACTGCCCTGCCC 560
TGGAAGGGTCCCAGAATGGTTGCCAACATGAGAATGCTGCTGCTGTCAGGTGCAATGTCCCTAACATGGG 630
CTTTCAGAATCAGGTGCGCTTGGCTGGTGGGCGTATCCCTGAGGAGGGGCTATTGGAGGTGCAGGTGGAG 700
        710       720       730       740       750       760       770
GTGAACGGGGTCCCACGCTGGGGGAGCGTGTGCAGTGAAAACTGGGGGCTCACCGAAGCCATGGTGGCCT 770
GCCGACAGCTCGGCCTGGGTTTTGCCATCCATGCCTACAAGGAAACCTGGTTCTGGTCGGGGACGCCAAG 840
GGCCCAGGAGGTGGTGATGAGTGGGGTGCGCTGCTCAGGCACAGAGCTGGCCCTGCAGCAGTGCCAGAGG 910
CACGGGCCGGTGCACTGCTCCCACGGTGGCGGGCGCTTCCTGGCTGGAGTCTCCTGCATGGACAGTGCAC 980
CAGACCTGGTGATGAACGCCCAGCTAGTGCAGGAGACGGCCTACTTGGAGGACCGCCCGCTCAGCCAGCT 1050
        1060      1070      1080      1090      1100      1110      1120
GTATTGTGCCCACGAGGAGAACTGCCTCTCCAAGTCTGCGGATCACATGGACTGGCCCTACGGATACCGC 1120
CGCCTATTGCGCTTCTCCACACAGATCTACAATCTGGGCCGGACTGACTTTCGTCCAAAGACTGGACGCG 1190
ATAGCTGGGTTTGGCACCAGTGCCACAGGCATTACCACAGCATTGAGGTCTTCACCCACTACGACCTCCT 1260
CACTCTCAATGGCTCCAAGGTGGCTGAGGGGCACAAGGCCAGCTTCTGTCTGGAGGACACAAACTGCCCC 1330
ACAGGACTGCAGCGGCGCTACGCATGTGCCAACTTTGGAGAACAGGGAGTGACTGTAGGCTGCTGGGACA 1400
        1410      1420      1430      1440      1450      1460      1470
CCTACCGGCATGACATTGATTGCCAGTGGGTGGATATCACAGATGTGGGCCCCGGGAATTATATCTTCCA 1470
GGTGATTGTGAACCCCCACTATGAAGTGGCAGAGTCAGATTTCTCCAACAATATGCTGCAGTGCCGCTGC 1540
AAGTATGATGGGCACCGGGTCTGGCTGCACAACTGCCACACAGGGAATTCATACCCAGCCAATGCAGAAC 1610
TTTCCCTGGAGCAGGAACAGCGTCTCAGGAACAACCTCATCTGAAGCTGTCACTGCACACTCCTAGCTGC 1680
TGCCGATACACCAGATACCTCAGCTTATTGGAGCCATGCCCTTCACAGAGTCCCAACTCAGAGGAAAAGG 1750
        1760      1770      1780      1790      1800      1810      1820
GCCAGTGCCAAGGGGCACCAAGAACCTGCTCAGGAAGCCTTTTGATGGCAAGATCACCAATCCAGATGGT 1820
ATTGCTCCCTCAGGATGGCTCTGGGCCTGCCCCTAAGGGCCTGTGGCCTATGGAATATGTCCTCCAGGCT 1890
TTGCTCAGCTGAGCTCCTCTTCTGTAAGGAAACCCAGTCATCCCTGAATCTTGCCACAGAGATCCGGGAT 1960
TCAGGAGCTCTCAGTTTCTTAGGGATGGACTATGGCCCAGTCCCCCATCTAAGTGGTGCTTTGCAAATGT 2030
CTTGGAGGAGTATAGGACAGAGGACCAAAATACACAGCAGGTAGTGTTAGCTCTCTGCTAGGAGCTCAAA 2100
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D3E11 cDNA.seq

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        2110       2120       2130       2140       2150       2160       2170
GCAACACAACTTGTATCGAAATCACAACTGGCAGAGAAGCTGGTGGATCCAATCCTTTCTTCATCTGTTG 2170
TTATTTAGAACTCACCTCTCACACTCTGTTCTTTAGTGTCCTTACCTTTATCTTACCACACACATGGGTG 2240
TTTCTATTATCCTTGGAAGCACAGACCTCGGGCATCCCCTTATTGCCTGATGGGCCAACACCAACAGTTA 2310
CGGAGTGCTTGAGAAGGGGCAAGTTTCACAGAAATGGCCAGATAGGGCCTGCCTACTGAGCAGCATGAGT 2380
AGGCCAAGCAGAAAGACTGCTGATGTAACACGGACCCCAGCCCCTGTCAGGGCCTCTGCCAAGGAAATAA 2450
        2460       2470       2480       2490       2500       2510       2520
TATGGACCATTTACCTGGCAGGCAGTCTGCTCTCTCTCAGGATCACCACGCATCTCAGGATTGGTCTAAA 2520
CTTCAAGTCTCAACCAAGTGTCTGAAGTGAACTTTGCATTGAATAAATTTTTGCCATGGAAAGAACATCA 2590
AACAAGCCACTCATCTCTACAGAGATAAGAAAACAAGTTTGGCAGAGCAAGAGACAGAAGACCGTGGAGA 2660
AATCAGAAGGGGGAACAGTCAGTTTAGTTAAGGATGGAACCTGGGAAAGGCCACCATTCCTGCTTGATGG 2730
GGCTCTGATTTGCTCTTGCTCAAGTGGAATAAAACCCCATGGTCTTCTTGACATGATTCTTGATCTTTTC 2800
        2810       2820       2830       2840       2850       2860       2870
TCCACTGAGACACACTTAAGTGATGATCCTTACAGGACTGACACCCTAATGCCAATAAAAGTTGCTCATT 2870
ATGGACTGCTGAAAAAAAAAAAAAAAAAAAAA 2903
```

Five Giralda Farms
Madison, New Jersey 07940

Meghan M. Makary
Patent Attorney
Patent Department
973 660-7645 tel
973 660 7974 fax
makarym@wyeth.com

Wyeth

October 1, 2003

VIA UPS NEXT DAY AIR

Dr. Jianxiong Zhang
128 Eaton Drive
Wayne, PA 19087

Re: Correction of Patent Application Inventorship
Wyeth File Nos. AHP-98260 and AHP-98260-D1
Title: A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY

Dear Dr. Zhang:

We are writing to you because we believe that you were mistakenly identified as an inventor on the original Declaration and Power of Attorney documents filed with the two patent applications referenced above.

It is our understanding that your contribution to the research was to provide technical support to the actual inventors as a member of the sequencing group at Wyeth and that you therefore did not contribute intellectually to any invention claimed in either of the applications. If it is correct that your contribution was solely in the form of technical support, we request that you sign the two enclosed Declarations (one for each of the above-referenced applications) attesting to that fact.

Prior to executing the two Declarations, we request that you (1) review the attached set of claims for each of the applications to confirm that your contribution to each invention claimed was solely in the form of technical support; (2) verify the accuracy of the statements made in the Declarations; and (3) verify that your current address and citizenship information is listed correctly on the Declarations. **Please call me immediately if you have any questions regarding the requirement for inventorship or if you dispute the contention that your contribution to the above-referenced patent applications was solely technical in nature.**

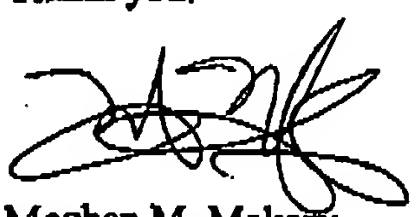
After you have reviewed the documents, kindly sign and date the enclosed Declarations **in blue ink** where indicated and then please return them to me in the prepaid enclosed courier envelope.

Wyeth

If you have any questions, please call me at the number above.

Your immediate attention to this matter is appreciated.

Thank you.



Meghan M. Makary

MMM:imh
Enclosures

cc: Paul F. Fehlner, Ph.D.

S:\PATENTS\BIOSHARE.PAT\Makary\03-mm\Correspondence\Zhang.J.AHP98260.10-1-03.doc

1006703.452

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 5.57

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Sent To
Dr Jianxiong Zhang
Street, Apt. No.; or PO Box No 28 Easton Drive
City, State, ZIP+ 4
Wayne PA 19087

PS Form 3800, January 2001 See Reverse for Instructions

DARBY &
DARBY
PROFESSIONAL
CORPORATION

INTELLECTUAL PROPERTY LAW

NEW YORK
805 THIRD AVENUE
NEW YORK, NY 10022-7513
TEL 212.527.7700
FAX 212.753.6237

SEATTLE
1191 SECOND AVENUE
SEATTLE, WA 98101
TEL 206.262.8900
FAX 206.262.8901

December 18, 2003

Reference: 00630/100G703-US2
00630/100G703-US4

HEATHER M. ETTINGER, PH.D.
REGISTERED PATENT AGENT
(212) 836-3744
hettinger@darbylaw.com

Dr. Jianxiong Zhang
128 Eaton Drive
Wayne, PA 19087

Re: **Divisional Application of U.S. Patent Application No. 09/924,946**
Filed: June 6, 2003
For: A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY
Wyeth Ref.: AHP98260

Divisional Application of U.S. Patent Application No. 10456,982
Filed: June 6, 2003
For: A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY
Wyeth Ref.: AHP98260D1

Dear Dr. Zhang:

Upon review of the enclosed documents, which are identical to the documents sent to you by Meghan Makary at Wyeth on October 1, 2003, please sign, date, and return them in the enclosed envelope (no postage necessary).

Please do not hesitate to contact us if you have any questions.

Sincerely,

Heather M. Ettinger, Ph.D.

HME:aca

Enclosures

cc: Paul F. Fehlner, Esq.

Five Giralda Farms
Madison, New Jersey 07940

Meghan M. Makary
Patent Attorney
Patent Department
973 660-7645 tel
973 660 7974 fax
makarym@wyeth.com

Wyeth

REMINDER

October 1, 2003

VIA UPS NEXT DAY AIR

Dr. Jianxiong Zhang
128 Eaton Drive
Wayne, PA 19087

Re: Correction of Patent Application Inventorship
Wyeth File Nos. AHP-98260 and AHP-98260-D1
Title: A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY

Dear Dr. Zhang:

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It is our understanding that your contribution to the research was to provide technical support to the actual inventors as a member of the sequencing group at Wyeth and that you therefore did not contribute intellectually to any invention claimed in either of the applications. If it is correct that your contribution was solely in the form of technical support, we request that you sign the two enclosed Declarations (one for each of the above-referenced applications) attesting to that fact.

Prior to executing the two Declarations, we request that you (1) review the attached set of claims for each of the applications to confirm that your contribution to each invention claimed was solely in the form of technical support; (2) verify the accuracy of the statements made in the Declarations; and (3) verify that your current address and citizenship information is listed correctly on the Declarations. **Please call me immediately if you have any questions regarding the requirement for inventorship or if you dispute the contention that your contribution to the above-referenced patent applications was solely technical in nature.**

After you have reviewed the documents, kindly sign and date the enclosed Declarations **in blue ink** where indicated and then please return them to me in the prepaid enclosed courier envelope.

Wyeth

If you have any questions, please call me at the number above.

Your immediate attention to this matter is appreciated.

Thank you,

Meghan M. Makary

MMM:imh
Enclosures

cc: Paul F. Fehlner, Ph.D.

S:\PATENTS\BIOSHARE.PAT\Makary\03-mm\Correspondence\Zhang.J.AHP98260.10-1-03.doc

Wyeth Pharmaceuticals
Wyeth Consumer Healthcare
Fort Dodge Animal Health

EXPRESS MAIL CERTIFICATE

Date _____ Label No. _____
I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

_____ _____
Name (Print) Signature

PLEASE CHARGE ANY DEFICIENCY OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04 – 0100

Customer No.: 32801

Docket No: 00630/100G703-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark Evans et al.

Serial No.: 09/924,946

Examiner: Yong D. Pak

Confirmation No.: 3104

Filed: August 8, 2001

Group Art Unit: 1652

For: A Novel Member of the Lysyl Oxidase Gene Family

DECLARATION OF JIANXIONG ZHANG

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Jianxiong Zhang of 128 Eaton Drive, Wayne, PA 19087, declare that:

1. I am not an inventor of the subject matter claimed in the above-identified patent application.

2. The error in inventorship in the above-identified patent application arose through error and without deceptive intent on my part. I was mistakenly identified as an inventor when the patent application was filed because my only contribution to the research was providing technical support to the actual inventors. Specifically, I was a member of the

sequencing team and the work I did in relation to the present invention therefore consisted solely of taking orders from the actual inventors to sequence plasmids. Accordingly, I did not contribute intellectually to the present invention and should not have been named as an actual inventor.

It is further declared that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patents.

Dated: _____, 2003 By: _____
Jianxiong Zhang

Pending Claims of U.S.S.N. 09/924,946 as of October 1, 2003

1. An isolated EER-7 protein having an amino acid sequence comprising at least 10 contiguous amino acids from the sequence depicted in SEQ ID NO:2 or which has at least 60% sequence similarity with SEQ ID NO:2, which EER-7 protein has (i) lysyl oxidase activity; (ii) comprises four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID NOs: 3, 4, 5, and 6; and (iii) comprises a conserved catalytic domain of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7.

2. The EER-7 protein of claim 1, wherein the protein has specific binding activity with an anti-EER-7 antibody.

3. The EER-7 protein of claim 1 which is a human EER-7 protein.

4. The EER-7 protein of claim 3 which has an amino acid sequence as depicted in SEQ ID NO: 2.

5. The EER-7 protein of claim 3 which is encoded by a nucleic acid having a sequence as depicted in SEQ ID NO: 1.

6. The EER-7 protein of claim 1 having at least 60% sequence identity to human EER-7 protein having an amino acid sequence as depicted in SEQ ID NO: 2.

7. A polypeptide fragment of an EER-7 protein, wherein the fragment has a property selected from the group consisting of:

a) comprising from one to four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID Nos: 3, 4, 5, and 6;

b) a conserved catalytic domains of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7;

c) specific binding activity with an anti-EER-7 antibody; and

d) any combination thereof.

8. (Amended) An isolated nucleic acid encoding an EER-7 protein having an amino acid sequence comprising at least 10 contiguous amino acids from the sequence depicted in SEQ ID NO:2 or which has at least 60% sequence similarity with SEQ ID NO:2, which EER-7 protein has (i) lysyl oxidase activity; (ii) comprises four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID NOs: 3, 4, 5, and 6; and (iii) comprises a conserved catalytic domain of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7.

9. The nucleic acid of claim 8 which is a cDNA.

10. The nucleic acid of claim 8, wherein the EER-7 protein is a human EER-7 protein.

11. The EER-7 protein of claim 10 which has an amino acid sequence as depicted in SEQ ID NO: 2.

12. The nucleic acid of claim 8 which comprises a nucleotide sequence as depicted in SEQ ID NO:1.

13. A vector comprising a nucleic acid encoding a fragment of an EER-7 protein operatively associated with an expression control sequence, wherein the fragment has a property selected from the group consisting of:

a) comprising from one to four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID Nos: 3, 4, 5, and 6;

b) a conserved catalytic domains of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7;

c) specific binding activity with an anti-EER-7 antibody; and

d) any combination thereof..

14. The vector according to claim 13, wherein the fragment of an EER-7 protein is a full length EER-7 protein.

15. A host cell transfected with the vector of claim 14.

16. A non-human animal transformed with the vector of claim 14, wherein the animal expresses an EER-7 protein at a detectable level in response to estrogen.

17. A method for producing EER-7 protein, which method comprises isolating EER-7 protein produced by the host cells of claim 15, wherein the host cells have been cultured under conditions that provide for expression of the EER-7 protein by the vector.

18. An isolated nucleic acid of at least 20 bases that hybridizes under stringent conditions with a nucleic acid having a nucleotide sequence as depicted in SEQ ID NO: 1.

19. The nucleic acid of claim 18, wherein at least ten nucleotides are contiguous nucleotides from the nucleic acid sequence as depicted in SEQ ID NO: 1.

20. The nucleic acid of claim 18 which is detectably labeled.

21. An antibody that specifically binds to the EER-7 protein of claim 1.

22. A method for detecting an EER-7 protein, which method comprises detecting binding of the antibody of claim 21 to a molecule in a sample suspected of containing an EER-7 protein, wherein the antibody is contacted with the sample under conditions that permit specific binding with any EER-7 protein present in the sample and binding of the antibody to the molecule in the sample indicates the presence of EER-7.

23. A method for detecting expression of EER-7, which method comprises detecting mRNA encoding EER-7 in a sample from a cell suspected of expressing EER-7.

24. The method according to claim 23 wherein mRNA encoding EER-7 is detected by hybridization to an EER-7-specific nucleic acid.

25. The method according to claim 24 wherein the EER-7-specific nucleic acid is at least 10 nucleotides in length and has a sequence identical to a sequence of the same number of bases in SEQ ID NO: 1, or the complementary sequence thereof.

26. An assay system for identifying selective estrogen receptor ligands, comprising transformed cells that express different functional estrogen receptors, wherein the number of cells is sufficient to transcribe a detectable amount of mRNA encoding EER-7.

27. The assay system of claim 26, wherein the estrogen receptor is a human estrogen receptor.

28. The assay system of claim 26 which is an endothelial cell.

29. The assay system of claim 28 which is a human umbilical vein cell.

30. (Amended) A method for identifying a compound that selectively regulates EER-7 mRNA transcription through an estrogen receptor, which method comprises detecting a difference in the level of EER-7 mRNA in an assay system comprising transformed cells that express different functional estrogen receptors, wherein the number of cells is sufficient to transcribe a detectable amount of mRNA encoding EER-7 contacted with a test compound, wherein a difference in the level of EER-7 mRNA indicates that the test compound selectively regulates the estrogen receptor.

31. The method according to claim 30, wherein the test compound is an estrogen or an estrogen analog.

32. The method according to claim 31, wherein the test compound is an estrogen receptor selective agonist or antagonist.

33. The method according to claim 30, wherein the level of mRNA decreases when contacted with a test compound that regulates expression through the estrogen receptor.

34. The method according to claim 30, wherein the level of mRNA increases when contacted with a test compound that regulates expression through the estrogen receptor.

35. The method according to claim 30, wherein the estrogen receptor is a human estrogen receptor.

36. The method according to claim 30, wherein the first estrogen receptor is an ERα.

37. The method according to claim 36, wherein the second estrogen receptor is an ERβ.

38. The method according to claim 30, wherein the cell is an endothelial cell.

39. The method according to claim 38, wherein the cell is a human umbilical vein cell.

40. The polypeptide fragment of claim 7, wherein the four copies of SRCR domains comprise the sequences as depicted in SEQ ID NOS: 3-6.

41. The polypeptide fragment of claim 7, having at least 46% sequence similarity to the catalytic domain of lysyl oxidase enzyme having an amino acid sequence as depicted as SEQ ID NO: 7.

42. The assay system of claim 26, wherein the transformed cells comprise two different populations.

43. The assay system of claim 42, wherein one population expresses the ERα estrogen receptor.

44. The assay system of claim 43, wherein the other population expresses the ERβ estrogen receptor.

45. A non-human EER-7 knockout animal, wherein endogenous EER-7 expression is suppressed in the animal.

46. A non-human animal transformed with a vector comprising a nucleic acid encoding a protein that regulates EER-7 expression, wherein the protein is operatively associated with an expression control sequence; wherein the animal expresses an EER-7 protein at a detectable level in response to estrogen.

EXPRESS MAIL CERTIFICATE

Date _____ Label No. _____
I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

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Customer No.: 32801 Docket No: 00630/100G703-US4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark Evans et al.

Serial No.: 10/456,982 Examiner: NYA

Confirmation No.: 6806

Filed: June 6, 2003 Group Art Unit: 1652

For: A Novel Member of the Lysyl Oxidase Gene Family

DECLARATION OF JIANXIONG ZHANG

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Jianxiong Zhang of 128 Eaton Drive, Wayne, PA 19087, declare that:

1. I am not an inventor of the subject matter claimed in the above-identified patent application.

2. The error in inventorship in the above-identified patent application arose through error and without deceptive intent on my part. I was mistakenly identified as an inventor when the patent application was filed because my only contribution to the research was providing technical support to the actual inventors. Specifically, I was a member of the

sequencing team and the work I did in relation to the present invention therefore consisted solely of taking orders from the actual inventors to sequence plasmids. Accordingly, I did not contribute intellectually to the present invention and should not have been named as an actual inventor.

It is further declared that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patents.

Dated: _____, 2003 By: _____
Jianxiong Zhang

Pending Claims of U.S.S.N. 10/456,982

1. An isolated EER-7 protein having an amino acid sequence comprising at least 10 contiguous amino acids from the sequence depicted in SEQ ID NO:2 or which has at least 60% sequence similarity with SEQ ID NO:2, which EER-7 protein has (i) lysyl oxidase activity; (ii) comprises four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID NOs: 3, 4, 5, and 6; and (iii) comprises a conserved catalytic domain of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7.

2. The EER-7 protein of claim 1, wherein the protein has specific binding activity with an anti-EER-7 antibody.

3. The EER-7 protein of claim 1 which is a human EER-7 protein.

4. The EER-7 protein of claim 3 which has an amino acid sequence as depicted in SEQ ID NO: 2.

5. The EER-7 protein of claim 3 which is encoded by a nucleic acid having a sequence as depicted in SEQ ID NO: 1.

6. The EER-7 protein of claim 1 having at least 60% sequence identity to human EER-7 protein having an amino acid sequence as depicted in SEQ ID NO: 2.

7. A polypeptide fragment of an EER-7 protein, wherein the fragment has a property selected from the group consisting of:

a) comprising from one to four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID Nos: 3, 4, 5, and 6;

b) a conserved catalytic domains of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7;

c) specific binding activity with an anti-EER-7 antibody; and

d) any combination thereof.

21. An antibody that specifically binds to the EER-7 protein of claim 1.

22. A method for detecting an EER-7 protein, which method comprises detecting binding of the antibody of claim 21 to a molecule in a sample suspected of containing an EER-7 protein, wherein the antibody is contacted with the sample under conditions that permit specific binding with any EER-7 protein present in the sample and binding of the antibody to the molecule in the sample indicates the presence of EER-7.

23. A method for detecting expression of EER-7, which method comprises detecting mRNA encoding EER-7 in a sample from a cell suspected of expressing EER-7.

24. The method according to claim 23 wherein mRNA encoding EER-7 is detected by hybridization to an EER-7-specific nucleic acid.

25. The method according to claim 24 wherein the EER-7-specific nucleic acid is at least 10 nucleotides in length and has a sequence identical to a sequence of the same number of bases in SEQ ID NO: 1, or the complementary sequence thereof.

26. An assay system for identifying selective estrogen receptor ligands, comprising transformed cells that express different functional estrogen receptors, wherein the number of cells is sufficient to transcribe a detectable amount of mRNA encoding EER-7.

27. The assay system of claim 26, wherein the estrogen receptor is a human estrogen receptor.

28. The assay system of claim 26 which is an endothelial cell.

29. The assay system of claim 28 which is a human umbilical vein cell.

30. A method for identifying a compound that selectively regulates EER-7 mRNA transcription through an estrogen receptor, which method comprises detecting a difference in the level of EER-7 mRNA in an assay system of claim 26 contacted with a test compound, wherein a difference in the level of EER-7 mRNA indicates that the test compound selectively regulates the estrogen receptor.

31. The method according to claim 30, wherein the test compound is an estrogen or an estrogen analog.

32. The method according to claim 31, wherein the test compound is an estrogen receptor selective agonist or antagonist.

33. The method according to claim 30, wherein the level of mRNA decreases when contacted with a test compound that regulates expression through the estrogen receptor.

34. The method according to claim 30, wherein the level of mRNA increases when contacted with a test compound that regulates expression through the estrogen receptor.

35. The method according to claim 30, wherein the estrogen receptor is a human estrogen receptor.

36. The method according to claim 30, wherein the first estrogen receptor is an ERα.

37. The method according to claim 36, wherein the second estrogen receptor is an ERβ.

38. The method according to claim 30, wherein the cell is an endothelial cell.

39. The method according to claim 38, wherein the cell is a human umbilical vein cell.

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42. The assay system of claim 26, wherein the transformed cells comprise two different populations.

43. The assay system of claim 42, wherein one population expresses the ERα estrogen receptor.

44. The assay system of claim 43, wherein the other population expresses the ERβ estrogen receptor.

45. A non-human EER-7 knockout animal, wherein endogenous EER-7 expression is suppressed in the animal.

46. A non-human animal transformed with a vector comprising a nucleic acid encoding a protein that regulates EER-7 expression, wherein the protein is operatively associated with an expression control sequence; wherein the animal expresses an EER-7 protein at a detectable level in response to estrogen.

47. A non-human animal transformed with a vector comprising a nucleic acid encoding the EER-7 protein of claim 1, wherein the animal expresses the EER-7 protein at a detectable level in response to estrogen.

48. An isolated polypeptide selected from the group consisting of: a) a fragment of a polypeptide comprising the amino acid sequence of SEQ ID NO: 2, wherein the fragment comprises at least 15 contiguous amino acids of SEQ ID NO: 2; b) an allelic variant of a polypeptide comprising the amino acid sequence of SEQ ID NO: 2, wherein the polypeptide is encoded by a nucleic acid molecule which hybridizes to a nucleic acid molecule consisting of SEQ ID NO: 1 under stringent conditions; c) a polypeptide which is encoded by a nucleic acid molecule comprising a nucleotide sequence which is at least 60% identical to a nucleic acid comprising the nucleotide sequence of SEQ ID NO: l; d) a polypeptide comprising an amino acid sequence which is at least 60% identical to the amino acid sequence of SEQ ID NO: 2.

49. A method for identifying a compound which binds to a polypeptide of claim 48 which method comprises determining whether a test compound contacted with the polypeptide binds to the polypeptide.

50. The method of claim 49 wherein the polypeptide is not in or on the cell.

51. The method of claim 49 wherein the polypeptide is in or on the cell.

52. The method of claim 49 wherein the binding of the test compound to the polypeptide is detected by directly detecting binding of a test compound to the polypeptide.

53. The method of claim 49 wherein the binding of the test compound to the polypeptide is detected by detecting lysyl oxidase activity, wherein a change in lysyl oxidase activity indicates binding of the test compound to the polypeptide.

54. A method for modulating the activity of a polypeptide of claim 48, which method comprises contacting the polypeptide with a compound which binds to the polypeptide in a sufficient concentration to modulate the activity of the polypeptide.

55. The method of claim 54 wherein the polypeptide is not in or on the cell.

56. The method of claim 54 wherein the polypeptide is in or on the cell.

57. A method for identifying a compound which modulates the activity of a polypeptide of claim 48, which method comprises contacting the polypeptide with a test compound and determining the effect of the test compound on the activity of the polypeptide, wherein a change in the activity of the polypeptide indicates that the compound modulates the activity of the polypeptide.

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128 Eaton Drive
Wayne, PA
19087

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X Jianxiong Zhang ☐ Agent ☐ Addressee

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TEL 206.262.8900
FAX 206.262.8901

January 28, 2004

HEATHER M. ETTINGER, PH.D.
REGISTERED PATENT AGENT
(212) 836-3744
hettinger@darbylaw.com

Reference: 00630/100G703-US2
00630/100G703-US4

7002 0460 0002 9957 7707

VIA CERTIFIED MAIL

Dr. Jianxiong Zhang
128 Eaton Drive
Wayne, PA 19087

Re: **Divisional Application of U.S. Patent Application No. 09/924,946**
Filed: June 6, 2003
For: A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY
Wyeth Ref.: AHP98260

Divisional Application of U.S. Patent Application No. 10456,982
Filed: June 6, 2003
For: A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY
Wyeth Ref.: AHP98260D1

Dear Dr. Zhang:

Further to our October 1 and December 18, 2003 letters, based on our investigation of the inventorship of this application, we understand that your contributions to either of the above-identified applications did not meet the legal criteria for inventorship. Accordingly, we have requested that you execute the enclosed Declarations confirming that you are not an inventor of these inventions.

Because we have tried to reach you by telephone unsuccessfully over the course of the past four months and you have not responded to our October 1 or December 18, 2003 letters, we are going to have to request that the United States Patent & Trademark Office (USPTO) remove you as an inventor of these applications without your cooperation. We will indicate to the USPTO that you are unavailable and unresponsive.

Should you wish to discuss this matter, we would be happy to call you at any time that is convenient for you. If we fail to hear from you or to receive the executed Declarations from you by February 15, 2004, we will proceed to remove you as an inventor from these applications without your cooperation.

Sincerely,

Heather M. Ettinger, Ph.D.

HME:aca

Enclosures (Cover letter and Declarations)

cc: Darryl L. Webster, Esq.
Paul F. Fehlner, Esq.

{W:\00630\100G703000\00123791.DOC }

Five Giralda Farms
Madison, New Jersey 07940

Meghan M. Makary
Patent Attorney
Patent Department
973 660-7645 tel
973 660 7974 fax
makarym@wyeth.com

Wyeth

REMINDER

October 1, 2003

VIA UPS NEXT DAY AIR

Dr. Jianxiong Zhang
128 Eaton Drive
Wayne, PA 19087

Re: Correction of Patent Application Inventorship
Wyeth File Nos. AHP-98260 and AHP-98260-D1
Title: A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY

Dear Dr. Zhang:

We are writing to you because we believe that you were mistakenly identified as an inventor on the original Declaration and Power of Attorney documents filed with the two patent applications referenced above.

It is our understanding that your contribution to the research was to provide technical support to the actual inventors as a member of the sequencing group at Wyeth and that you therefore did not contribute intellectually to any invention claimed in either of the applications. If it is correct that your contribution was solely in the form of technical support, we request that you sign the two enclosed Declarations (one for each of the above-referenced applications) attesting to that fact.

Prior to executing the two Declarations, we request that you (1) review the attached set of claims for each of the applications to confirm that your contribution to each invention claimed was solely in the form of technical support; (2) verify the accuracy of the statements made in the Declarations; and (3) verify that your current address and citizenship information is listed correctly on the Declarations. **Please call me immediately if you have any questions regarding the requirement for inventorship or if you dispute the contention that your contribution to the above-referenced patent applications was solely technical in nature.**

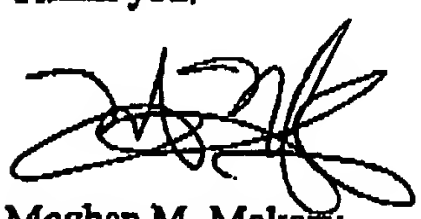
After you have reviewed the documents, kindly sign and date the enclosed Declarations in blue ink where indicated and then please return them to me in the prepaid enclosed courier envelope.

Wyeth

If you have any questions, please call me at the number above.

Your immediate attention to this matter is appreciated.

Thank you,



Meghan M. Makary

MMM:imh
Enclosures

cc: Paul F. Fehlner, Ph.D.

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Docket No: 00630/100G703-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark Evans et al.

Serial No.: 09/924,946

Examiner: Yong D. Pak

Confirmation No.: 3104

Filed: August 8, 2001

Group Art Unit: 1652

For: A Novel Member of the Lysyl Oxidase Gene Family

DECLARATION OF JIANXIONG ZHANG

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Jianxiong Zhang of 128 Eaton Drive, Wayne, PA 19087, declare that:

1. I am not an inventor of the subject matter claimed in the above-identified patent application.

2. The error in inventorship in the above-identified patent application arose through error and without deceptive intent on my part. I was mistakenly identified as an inventor when the patent application was filed because my only contribution to the research was providing technical support to the actual inventors. Specifically, I was a member of the

sequencing team and the work I did in relation to the present invention therefore consisted solely of taking orders from the actual inventors to sequence plasmids. Accordingly, I did not contribute intellectually to the present invention and should not have been named as an actual inventor.

It is further declared that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patents.

Dated: _____, 2003 By: _____
Jianxiong Zhang

Pending Claims of U.S.S.N. 09/924,946 as of October 1, 2003

1. An isolated EER-7 protein having an amino acid sequence comprising at least 10 contiguous amino acids from the sequence depicted in SEQ ID NO:2 or which has at least 60% sequence similarity with SEQ ID NO:2, which EER-7 protein has (i) lysyl oxidase activity; (ii) comprises four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID NOs: 3, 4, 5, and 6; and (iii) comprises a conserved catalytic domain of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7.

2. The EER-7 protein of claim 1, wherein the protein has specific binding activity with an anti-EER-7 antibody.

3. The EER-7 protein of claim 1 which is a human EER-7 protein.

4. The EER-7 protein of claim 3 which has an amino acid sequence as depicted in SEQ ID NO: 2.

5. The EER-7 protein of claim 3 which is encoded by a nucleic acid having a sequence as depicted in SEQ ID NO: 1.

6. The EER-7 protein of claim 1 having at least 60% sequence identity to human EER-7 protein having an amino acid sequence as depicted in SEQ ID NO: 2.

7. A polypeptide fragment of an EER-7 protein, wherein the fragment has a property selected from the group consisting of:

a) comprising from one to four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID Nos: 3, 4, 5, and 6;

b) a conserved catalytic domains of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7;

c) specific binding activity with an anti-EER-7 antibody; and

d) any combination thereof.

8. (Amended) An isolated nucleic acid encoding an EER-7 protein having an amino acid sequence comprising at least 10 contiguous amino acids from the sequence depicted in SEQ ID NO:2 or which has at least 60% sequence similarity with SEQ ID NO:2, which EER-7 protein has (i) lysyl oxidase activity; (ii) comprises four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID NOs: 3, 4, 5, and 6; and (iii) comprises a conserved catalytic domain of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7.

9. The nucleic acid of claim 8 which is a cDNA.

10. The nucleic acid of claim 8, wherein the EER-7 protein is a human EER-7 protein.

11. The EER-7 protein of claim 10 which has an amino acid sequence as depicted in SEQ ID NO: 2.

12. The nucleic acid of claim 8 which comprises a nucleotide sequence as depicted in SEQ ID NO:1.

13. A vector comprising a nucleic acid encoding a fragment of an EER-7 protein operatively associated with an expression control sequence, wherein the fragment has a property selected from the group consisting of:

a) comprising from one to four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID Nos: 3, 4, 5, and 6;

b) a conserved catalytic domains of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7;

c) specific binding activity with an anti-EER-7 antibody; and

d) any combination thereof..

14. The vector according to claim 13, wherein the fragment of an EER-7 protein is a full length EER-7 protein.

15. A host cell transfected with the vector of claim 14.

16. A non-human animal transformed with the vector of claim 14, wherein the animal expresses an EER-7 protein at a detectable level in response to estrogen.

17. A method for producing EER-7 protein, which method comprises isolating EER-7 protein produced by the host cells of claim 15, wherein the host cells have been cultured under conditions that provide for expression of the EER-7 protein by the vector.

18. An isolated nucleic acid of at least 20 bases that hybridizes under stringent conditions with a nucleic acid having a nucleotide sequence as depicted in SEQ ID NO: 1.

19. The nucleic acid of claim 18, wherein at least ten nucleotides are contiguous nucleotides from the nucleic acid sequence as depicted in SEQ ID NO: 1.

20. The nucleic acid of claim 18 which is detectably labeled.

21. An antibody that specifically binds to the EER-7 protein of claim 1.

22. A method for detecting an EER-7 protein, which method comprises detecting binding of the antibody of claim 21 to a molecule in a sample suspected of containing an EER-7 protein, wherein the antibody is contacted with the sample under conditions that permit specific binding with any EER-7 protein present in the sample and binding of the antibody to the molecule in the sample indicates the presence of EER-7.

23. A method for detecting expression of EER-7, which method comprises detecting mRNA encoding EER-7 in a sample from a cell suspected of expressing EER-7.

24. The method according to claim 23 wherein mRNA encoding EER-7 is detected by hybridization to an EER-7-specific nucleic acid.

25. The method according to claim 24 wherein the EER-7-specific nucleic acid is at least 10 nucleotides in length and has a sequence identical to a sequence of the same number of bases in SEQ ID NO: 1, or the complementary sequence thereof.

26. An assay system for identifying selective estrogen receptor ligands, comprising transformed cells that express different functional estrogen receptors, wherein the number of cells is sufficient to transcribe a detectable amount of mRNA encoding EER-7.

27. The assay system of claim 26, wherein the estrogen receptor is a human estrogen receptor.

28. The assay system of claim 26 which is an endothelial cell.

29. The assay system of claim 28 which is a human umbilical vein cell.

30. (Amended) A method for identifying a compound that selectively regulates EER-7 mRNA transcription through an estrogen receptor, which method comprises detecting a difference in the level of EER-7 mRNA in an assay system comprising transformed cells that express different functional estrogen receptors, wherein the number of cells is sufficient to transcribe a detectable amount of mRNA encoding EER-7 contacted with a test compound, wherein a difference in the level of EER-7 mRNA indicates that the test compound selectively regulates the estrogen receptor.

31. The method according to claim 30, wherein the test compound is an estrogen or an estrogen analog.

32. The method according to claim 31, wherein the test compound is an estrogen receptor selective agonist or antagonist.

33. The method according to claim 30, wherein the level of mRNA decreases when contacted with a test compound that regulates expression through the estrogen receptor.

34. The method according to claim 30, wherein the level of mRNA increases when contacted with a test compound that regulates expression through the estrogen receptor.

35. The method according to claim 30, wherein the estrogen receptor is a human estrogen receptor.

36. The method according to claim 30, wherein the first estrogen receptor is an ERα.

37. The method according to claim 36, wherein the second estrogen receptor is an ERβ.

38. The method according to claim 30, wherein the cell is an endothelial cell.

39. The method according to claim 38, wherein the cell is a human umbilical vein cell.

40. The polypeptide fragment of claim 7, wherein the four copies of SRCR domains comprise the sequences as depicted in SEQ ID NOS: 3-6.

41. The polypeptide fragment of claim 7, having at least 46% sequence similarity to the catalytic domain of lysyl oxidase enzyme having an amino acid sequence as depicted as SEQ ID NO: 7.

42. The assay system of claim 26, wherein the transformed cells comprise two different populations.

43. The assay system of claim 42, wherein one population expresses the ERα estrogen receptor.

44. The assay system of claim 43, wherein the other population expresses the ERβ estrogen receptor.

45. A non-human EER-7 knockout animal, wherein endogenous EER-7 expression is suppressed in the animal.

46. A non-human animal transformed with a vector comprising a nucleic acid encoding a protein that regulates EER-7 expression, wherein the protein is operatively associated with an expression control sequence; wherein the animal expresses an EER-7 protein at a detectable level in response to estrogen.

EXPRESS MAIL CERTIFICATE

Date _____ Label No. _____
I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

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Customer No.: 32801

Docket No: 00630/100G703-US4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark Evans et al.

Serial No.: 10/456,982

Examiner: NYA

Confirmation No.: 6806

Filed: June 6, 2003

Group Art Unit: 1652

For: A Novel Member of the Lysyl Oxidase Gene Family

DECLARATION OF JIANXIONG ZHANG

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Jianxiong Zhang of 128 Eaton Drive, Wayne, PA 19087, declare that:

1. I am not an inventor of the subject matter claimed in the above-identified patent application.

2. The error in inventorship in the above-identified patent application arose through error and without deceptive intent on my part. I was mistakenly identified as an inventor when the patent application was filed because my only contribution to the research was providing technical support to the actual inventors. Specifically, I was a member of the

sequencing team and the work I did in relation to the present invention therefore consisted solely of taking orders from the actual inventors to sequence plasmids. Accordingly, I did not contribute intellectually to the present invention and should not have been named as an actual inventor.

It is further declared that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patents.

Dated: _____, 2003 By: _____
Jianxiong Zhang

Pending Claims of U.S.S.N. 10/456,982

1. An isolated EER-7 protein having an amino acid sequence comprising at least 10 contiguous amino acids from the sequence depicted in SEQ ID NO:2 or which has at least 60% sequence similarity with SEQ ID NO:2, which EER-7 protein has (i) lysyl oxidase activity; (ii) comprises four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID NOs: 3, 4, 5, and 6; and (iii) comprises a conserved catalytic domain of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7.

2. The EER-7 protein of claim 1, wherein the protein has specific binding activity with an anti-EER-7 antibody.

3. The EER-7 protein of claim 1 which is a human EER-7 protein.

4. The EER-7 protein of claim 3 which has an amino acid sequence as depicted in SEQ ID NO: 2.

5. The EER-7 protein of claim 3 which is encoded by a nucleic acid having a sequence as depicted in SEQ ID NO: 1.

6. The EER-7 protein of claim 1 having at least 60% sequence identity to human EER-7 protein having an amino acid sequence as depicted in SEQ ID NO: 2.

7. A polypeptide fragment of an EER-7 protein, wherein the fragment has a property selected from the group consisting of:

a) comprising from one to four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID Nos: 3, 4, 5, and 6;

b) a conserved catalytic domains of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7;

c) specific binding activity with an anti-EER-7 antibody; and

d) any combination thereof.

21. An antibody that specifically binds to the EER-7 protein of claim 1.

22. A method for detecting an EER-7 protein, which method comprises detecting binding of the antibody of claim 21 to a molecule in a sample suspected of containing an EER-7 protein, wherein the antibody is contacted with the sample under conditions that permit specific binding with any EER-7 protein present in the sample and binding of the antibody to the molecule in the sample indicates the presence of EER-7.

23. A method for detecting expression of EER-7, which method comprises detecting mRNA encoding EER-7 in a sample from a cell suspected of expressing EER-7.

24. The method according to claim 23 wherein mRNA encoding EER-7 is detected by hybridization to an EER-7-specific nucleic acid.

25. The method according to claim 24 wherein the EER-7-specific nucleic acid is at least 10 nucleotides in length and has a sequence identical to a sequence of the same number of bases in SEQ ID NO: 1, or the complementary sequence thereof.

26. An assay system for identifying selective estrogen receptor ligands, comprising transformed cells that express different functional estrogen receptors, wherein the number of cells is sufficient to transcribe a detectable amount of mRNA encoding EER-7.

27. The assay system of claim 26, wherein the estrogen receptor is a human estrogen receptor.

28. The assay system of claim 26 which is an endothelial cell.

29. The assay system of claim 28 which is a human umbilical vein cell.

30. A method for identifying a compound that selectively regulates EER-7 mRNA transcription through an estrogen receptor, which method comprises detecting a difference in the level of EER-7 mRNA in an assay system of claim 26 contacted with a test compound, wherein a difference in the level of EER-7 mRNA indicates that the test compound selectively regulates the estrogen receptor.

31. The method according to claim 30, wherein the test compound is an estrogen or an estrogen analog.

32. The method according to claim 31, wherein the test compound is an estrogen receptor selective agonist or antagonist.

33. The method according to claim 30, wherein the level of mRNA decreases when contacted with a test compound that regulates expression through the estrogen receptor.

34. The method according to claim 30, wherein the level of mRNA increases when contacted with a test compound that regulates expression through the estrogen receptor.

35. The method according to claim 30, wherein the estrogen receptor is a human estrogen receptor.

36. The method according to claim 30, wherein the first estrogen receptor is an ERα.

37. The method according to claim 36, wherein the second estrogen receptor is an ERβ.

38. The method according to claim 30, wherein the cell is an endothelial cell.

39. The method according to claim 38, wherein the cell is a human umbilical vein cell.

40. The polypeptide fragment of claim 7, wherein the four copies of SRCR domains comprise the sequences as depicted in SEQ ID NOS: 3-6.

41. The polypeptide fragment of claim 7, having at least 46% sequence similarity to the catalytic domain of lysyl oxidase enzyme having an amino acid sequence as depicted as SEQ ID NO: 7.

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43. The assay system of claim 42, wherein one population expresses the ERα estrogen receptor.

44. The assay system of claim 43, wherein the other population expresses the ERβ estrogen receptor.

45. A non-human EER-7 knockout animal, wherein endogenous EER-7 expression is suppressed in the animal.

46. A non-human animal transformed with a vector comprising a nucleic acid encoding a protein that regulates EER-7 expression, wherein the protein is operatively associated with an expression control sequence; wherein the animal expresses an EER-7 protein at a detectable level in response to estrogen.

47. A non-human animal transformed with a vector comprising a nucleic acid encoding the EER-7 protein of claim 1, wherein the animal expresses the EER-7 protein at a detectable level in response to estrogen.

48. An isolated polypeptide selected from the group consisting of: a) a fragment of a polypeptide comprising the amino acid sequence of SEQ ID NO: 2, wherein the fragment comprises at least 15 contiguous amino acids of SEQ ID NO: 2; b) an allelic variant of a polypeptide comprising the amino acid sequence of SEQ ID NO: 2, wherein the polypeptide is encoded by a nucleic acid molecule which hybridizes to a nucleic acid molecule consisting of SEQ ID NO: 1 under stringent conditions; c) a polypeptide which is encoded by a nucleic acid molecule comprising a nucleotide sequence which is at least 60% identical to a nucleic acid comprising the nucleotide sequence of SEQ ID NO: 1; d) a polypeptide comprising an amino acid sequence which is at least 60% identical to the amino acid sequence of SEQ ID NO: 2.

49. A method for identifying a compound which binds to a polypeptide of claim 48 which method comprises determining whether a test compound contacted with the polypeptide binds to the polypeptide.

50. The method of claim 49 wherein the polypeptide is not in or on the cell.

51. The method of claim 49 wherein the polypeptide is in or on the cell.

52. The method of claim 49 wherein the binding of the test compound to the polypeptide is detected by directly detecting binding of a test compound to the polypeptide.

53. The method of claim 49 wherein the binding of the test compound to the polypeptide is detected by detecting lysyl oxidase activity, wherein a change in lysyl oxidase activity indicates binding of the test compound to the polypeptide.

54. A method for modulating the activity of a polypeptide of claim 48, which method comprises contacting the polypeptide with a compound which binds to the polypeptide in a sufficient concentration to modulate the activity of the polypeptide.

55. The method of claim 54 wherein the polypeptide is not in or on the cell.

56. The method of claim 54 wherein the polypeptide is in or on the cell.

57. A method for identifying a compound which modulates the activity of a polypeptide of claim 48, which method comprises contacting the polypeptide with a test compound and determining the effect of the test compound on the activity of the polypeptide, wherein a change in the activity of the polypeptide indicates that the compound modulates the activity of the polypeptide.

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TEL 206.262.8900
FAX 206.262.8901

February 26, 2004

Reference: 00630/100G703-US2
00630/100G703-US4

HEATHER M. ETTINGER, PH.D.
REGISTERED PATENT AGENT
(212) 836-3744
hettinger@darbylaw.com

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Dr. Jianxiong Zhang
128 Eaton Drive
Wayne, PA 19087

Re: **Divisional Application of U.S. Patent Application No. 09/924,946**
Filed: June 6, 2003
For: A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY
Wyeth Ref.: AHP98260

Divisional Application of U.S. Patent Application No. 10456,982
Filed: June 6, 2003
For: A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY
Wyeth Ref.: AHP98260D1

Dear Dr. Zhang:

Further to our October 1 and December 18, 2003 letters, based on our investigation of the inventorship of this application, we understand that your contributions to either of the above-identified applications did not meet the legal criteria for inventorship. Accordingly, we have requested that you execute the enclosed Declarations confirming that you are not an inventor of these inventions.

Because we have tried to reach you by telephone unsuccessfully over the course of the past four months and you have not responded to our October 1 or December 18, 2003 letters, we are going to have to request that the United States Patent & Trademark Office (USPTO) remove you as an inventor of these applications without your cooperation. We will indicate to the USPTO that you are unavailable and unresponsive.

Should you wish to discuss this matter, we would be happy to call you at any time that is convenient for you. If we fail to hear from you or to receive the executed Declarations from you by March 7, 2004, we will proceed to remove you as an inventor from these applications without your cooperation.

Sincerely,

Heather M. Ettinger, Ph.D.

HME:aca

Enclosures (Cover letter and Declarations)

cc: Darryl L. Webster, Esq.
Paul F. Fehlner, Esq.

{W:\00630\100G703000\00141653.DOC }

Five Giralda Farms
Madison, New Jersey 07940

Meghan M. Makary
Patent Attorney
Patent Department
973 660-7645 tel
973 660 7974 fax
makarym@wyeth.com

Wyeth

REMINDER

October 1, 2003

VIA UPS NEXT DAY AIR

Dr. Jianxiong Zhang
128 Eaton Drive
Wayne, PA 19087

Re: Correction of Patent Application Inventorship
Wyeth File Nos. AHP-98260 and AHP-98260-D1
Title: A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY

Dear Dr. Zhang:

We are writing to you because we believe that you were mistakenly identified as an inventor on the original Declaration and Power of Attorney documents filed with the two patent applications referenced above.

It is our understanding that your contribution to the research was to provide technical support to the actual inventors as a member of the sequencing group at Wyeth and that you therefore did not contribute intellectually to any invention claimed in either of the applications. If it is correct that your contribution was solely in the form of technical support, we request that you sign the two enclosed Declarations (one for each of the above-referenced applications) attesting to that fact.

Prior to executing the two Declarations, we request that you (1) review the attached set of claims for each of the applications to confirm that your contribution to each invention claimed was solely in the form of technical support; (2) verify the accuracy of the statements made in the Declarations; and (3) verify that your current address and citizenship information is listed correctly on the Declarations. **Please call me immediately if you have any questions regarding the requirement for inventorship or if you dispute the contention that your contribution to the above-referenced patent applications was solely technical in nature.**

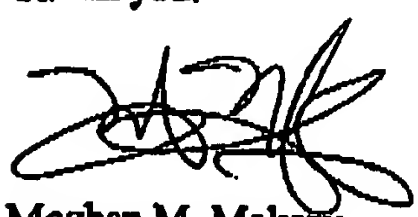
After you have reviewed the documents, kindly sign and date the enclosed Declarations **in blue ink** where indicated and then please return them to me in the prepaid enclosed courier envelope.

Wyeth

If you have any questions, please call me at the number above.

Your immediate attention to this matter is appreciated.

Thank you.



Meghan M. Makary

MMM:imh
Enclosures

cc: Paul F. Fehlner, Ph.D.

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Customer No.: 32801

Docket No: 00630/100G703-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark Evans et al.

Serial No.: 09/924,946

Examiner: Yong D. Pak

Confirmation No.: 3104

Filed: August 8, 2001

Group Art Unit: 1652

For: A Novel Member of the Lysyl Oxidase Gene Family

DECLARATION OF JIANXIONG ZHANG

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Jianxiong Zhang of 128 Eaton Drive, Wayne, PA 19087, declare that:

1. I am not an inventor of the subject matter claimed in the above-identified patent application.

2. The error in inventorship in the above-identified patent application arose through error and without deceptive intent on my part. I was mistakenly identified as an inventor when the patent application was filed because my only contribution to the research was providing technical support to the actual inventors. Specifically, I was a member of the

sequencing team and the work I did in relation to the present invention therefore consisted solely of taking orders from the actual inventors to sequence plasmids. Accordingly, I did not contribute intellectually to the present invention and should not have been named as an actual inventor.

It is further declared that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patents.

Dated: _____, 2003 By: _____
Jianxiong Zhang

Pending Claims of U.S.S.N. 09/924,946 as of October 1, 2003

1. An isolated EER-7 protein having an amino acid sequence comprising at least 10 contiguous amino acids from the sequence depicted in SEQ ID NO:2 or which has at least 60% sequence similarity with SEQ ID NO:2, which EER-7 protein has (i) lysyl oxidase activity; (ii) comprises four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID NOs: 3, 4, 5, and 6; and (iii) comprises a conserved catalytic domain of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7.

2. The EER-7 protein of claim 1, wherein the protein has specific binding activity with an anti-EER-7 antibody.

3. The EER-7 protein of claim 1 which is a human EER-7 protein.

4. The EER-7 protein of claim 3 which has an amino acid sequence as depicted in SEQ ID NO; 2.

5. The EER-7 protein of claim 3 which is encoded by a nucleic acid having a sequence as depicted in SEQ ID NO: 1.

6. The EER-7 protein of claim 1 having at least 60% sequence identity to human EER-7 protein having an amino acid sequence as depicted in SEQ ID NO: 2.

7. A polypeptide fragment of an EER-7 protein, wherein the fragment has a property selected from the group consisting of:

a) comprising from one to four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID Nos: 3, 4, 5, and 6;

b) a conserved catalytic domains of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7;

c) specific binding activity with an anti-EER-7 antibody; and

d) any combination thereof.

8. (Amended) An isolated nucleic acid encoding an EER-7 protein having an amino acid sequence comprising at least 10 contiguous amino acids from the sequence depicted in SEQ ID NO:2 or which has at least 60% sequence similarity with SEQ ID NO:2, which EER-7 protein has (i) lysyl oxidase activity; (ii) comprises four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID NOs: 3, 4, 5, and 6; and (iii) comprises a conserved catalytic domain of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7.

9. The nucleic acid of claim 8 which is a cDNA.

10. The nucleic acid of claim 8, wherein the EER-7 protein is a human EER-7 protein.

11. The EER-7 protein of claim 10 which has an amino acid sequence as depicted in SEQ ID NO: 2.

12. The nucleic acid of claim 8 which comprises a nucleotide sequence as depicted in SEQ ID NO:1.

13. A vector comprising a nucleic acid encoding a fragment of an EER-7 protein operatively associated with an expression control sequence, wherein the fragment has a property selected from the group consisting of:

a) comprising from one to four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID Nos: 3, 4, 5, and 6;

b) a conserved catalytic domains of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7;

c) specific binding activity with an anti-EER-7 antibody; and

d) any combination thereof..

14. The vector according to claim 13, wherein the fragment of an EER-7 protein is a full length EER-7 protein.

15. A host cell transfected with the vector of claim 14.

16. A non-human animal transformed with the vector of claim 14, wherein the animal expresses an EER-7 protein at a detectable level in response to estrogen.

17. A method for producing EER-7 protein, which method comprises isolating EER-7 protein produced by the host cells of claim 15, wherein the host cells have been cultured under conditions that provide for expression of the EER-7 protein by the vector.

18. An isolated nucleic acid of at least 20 bases that hybridizes under stringent conditions with a nucleic acid having a nucleotide sequence as depicted in SEQ ID NO: 1.

19. The nucleic acid of claim 18, wherein at least ten nucleotides are contiguous nucleotides from the nucleic acid sequence as depicted in SEQ ID NO: 1.

20. The nucleic acid of claim 18 which is detectably labeled.

21. An antibody that specifically binds to the EER-7 protein of claim 1.

22. A method for detecting an EER-7 protein, which method comprises detecting binding of the antibody of claim 21 to a molecule in a sample suspected of containing an EER-7 protein, wherein the antibody is contacted with the sample under conditions that permit specific binding with any EER-7 protein present in the sample and binding of the antibody to the molecule in the sample indicates the presence of EER-7.

23. A method for detecting expression of EER-7, which method comprises detecting mRNA encoding EER-7 in a sample from a cell suspected of expressing EER-7.

24. The method according to claim 23 wherein mRNA encoding EER-7 is detected by hybridization to an EER-7-specific nucleic acid.

25. The method according to claim 24 wherein the EER-7-specific nucleic acid is at least 10 nucleotides in length and has a sequence identical to a sequence of the same number of bases in SEQ ID NO: 1, or the complementary sequence thereof.

26. An assay system for identifying selective estrogen receptor ligands, comprising transformed cells that express different functional estrogen receptors, wherein the number of cells is sufficient to transcribe a detectable amount of mRNA encoding EER-7.

27. The assay system of claim 26, wherein the estrogen receptor is a human estrogen receptor.

28. The assay system of claim 26 which is an endothelial cell.

29. The assay system of claim 28 which is a human umbilical vein cell.

30. (Amended) A method for identifying a compound that selectively regulates EER-7 mRNA transcription through an estrogen receptor, which method comprises detecting a difference in the level of EER-7 mRNA in an assay system comprising transformed cells that express different functional estrogen receptors, wherein the number of cells is sufficient to transcribe a detectable amount of mRNA encoding EER-7 contacted with a test compound, wherein a difference in the level of EER-7 mRNA indicates that the test compound selectively regulates the estrogen receptor.

31. The method according to claim 30, wherein the test compound is an estrogen or an estrogen analog.

32. The method according to claim 31, wherein the test compound is an estrogen receptor selective agonist or antagonist.

33. The method according to claim 30, wherein the level of mRNA decreases when contacted with a test compound that regulates expression through the estrogen receptor.

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35. The method according to claim 30, wherein the estrogen receptor is a human estrogen receptor.

36. The method according to claim 30, wherein the first estrogen receptor is an ERα.

37. The method according to claim 36, wherein the second estrogen receptor is an ERβ.

38. The method according to claim 30, wherein the cell is an endothelial cell.

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40. The polypeptide fragment of claim 7, wherein the four copies of SRCR domains comprise the sequences as depicted in SEQ ID NOS: 3-6.

41. The polypeptide fragment of claim 7, having at least 46% sequence similarity to the catalytic domain of lysyl oxidase enzyme having an amino acid sequence as depicted as SEQ ID NO: 7.

42. The assay system of claim 26, wherein the transformed cells comprise two different populations.

43. The assay system of claim 42, wherein one population expresses the ERα estrogen receptor.

44. The assay system of claim 43, wherein the other population expresses the ERβ estrogen receptor.

45. A non-human EER-7 knockout animal, wherein endogenous EER-7 expression is suppressed in the animal.

46. A non-human animal transformed with a vector comprising a nucleic acid encoding a protein that regulates EER-7 expression, wherein the protein is operatively associated with an expression control sequence; wherein the animal expresses an EER-7 protein at a detectable level in response to estrogen.

EXPRESS MAIL CERTIFICATE

Date _____ Label No. _____
I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

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Customer No.: 32801

Docket No: 00630/100G703-US4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark Evans et al.

Serial No.: 10/456,982

Examiner: NYA

Confirmation No.: 6806

Filed: June 6, 2003

Group Art Unit: 1652

For: A Novel Member of the Lysyl Oxidase Gene Family

DECLARATION OF JIANXIONG ZHANG

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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1. I am not an inventor of the subject matter claimed in the above-identified patent application.

2. The error in inventorship in the above-identified patent application arose through error and without deceptive intent on my part. I was mistakenly identified as an inventor when the patent application was filed because my only contribution to the research was providing technical support to the actual inventors. Specifically, I was a member of the

sequencing team and the work I did in relation to the present invention therefore consisted solely of taking orders from the actual inventors to sequence plasmids. Accordingly, I did not contribute intellectually to the present invention and should not have been named as an actual inventor.

It is further declared that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patents.

Dated: _____, 2003 By: _____
Jianxiong Zhang

Pending Claims of U.S.S.N. 10/456,982

1. An isolated EER-7 protein having an amino acid sequence comprising at least 10 contiguous amino acids from the sequence depicted in SEQ ID NO:2 or which has at least 60% sequence similarity with SEQ ID NO:2, which EER-7 protein has (i) lysyl oxidase activity; (ii) comprises four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID NOs: 3, 4, 5, and 6; and (iii) comprises a conserved catalytic domain of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7.

2. The EER-7 protein of claim 1, wherein the protein has specific binding activity with an anti-EER-7 antibody.

3. The EER-7 protein of claim 1 which is a human EER-7 protein.

4. The EER-7 protein of claim 3 which has an amino acid sequence as depicted in SEQ ID NO: 2.

5. The EER-7 protein of claim 3 which is encoded by a nucleic acid having a sequence as depicted in SEQ ID NO: 1.

6. The EER-7 protein of claim 1 having at least 60% sequence identity to human EER-7 protein having an amino acid sequence as depicted in SEQ ID NO: 2.

7. A polypeptide fragment of an EER-7 protein, wherein the fragment has a property selected from the group consisting of:

a) comprising from one to four copies of a SRCR domain having a sequence greater than 80% similar to a sequence selected from the group consisting of SEQ ID Nos: 3, 4, 5, and 6;

b) a conserved catalytic domains of lysyl oxidase enzymes having a sequence as depicted in SEQ ID NO: 7;

c) specific binding activity with an anti-EER-7 antibody; and

d) any combination thereof.

21. An antibody that specifically binds to the EER-7 protein of claim 1.

22. A method for detecting an EER-7 protein, which method comprises detecting binding of the antibody of claim 21 to a molecule in a sample suspected of containing an EER-7 protein, wherein the antibody is contacted with the sample under conditions that permit specific binding with any EER-7 protein present in the sample and binding of the antibody to the molecule in the sample indicates the presence of EER-7.

23. A method for detecting expression of EER-7, which method comprises detecting mRNA encoding EER-7 in a sample from a cell suspected of expressing EER-7.

24. The method according to claim 23 wherein mRNA encoding EER-7 is detected by hybridization to an EER-7-specific nucleic acid.

25. The method according to claim 24 wherein the EER-7-specific nucleic acid is at least 10 nucleotides in length and has a sequence identical to a sequence of the same number of bases in SEQ ID NO: 1, or the complementary sequence thereof.

26. An assay system for identifying selective estrogen receptor ligands, comprising transformed cells that express different functional estrogen receptors, wherein the number of cells is sufficient to transcribe a detectable amount of mRNA encoding EER-7.

27. The assay system of claim 26, wherein the estrogen receptor is a human estrogen receptor.

28. The assay system of claim 26 which is an endothelial cell.

29. The assay system of claim 28 which is a human umbilical vein cell.

30. A method for identifying a compound that selectively regulates EER-7 mRNA transcription through an estrogen receptor, which method comprises detecting a difference in the level of EER-7 mRNA in an assay system of claim 26 contacted with a test compound, wherein a difference in the level of EER-7 mRNA indicates that the test compound selectively regulates the estrogen receptor.

31. The method according to claim 30, wherein the test compound is an estrogen or an estrogen analog.

32. The method according to claim 31, wherein the test compound is an estrogen receptor selective agonist or antagonist.

33. The method according to claim 30, wherein the level of mRNA decreases when contacted with a test compound that regulates expression through the estrogen receptor.

34. The method according to claim 30, wherein the level of mRNA increases when contacted with a test compound that regulates expression through the estrogen receptor.

35. The method according to claim 30, wherein the estrogen receptor is a human estrogen receptor.

36. The method according to claim 30, wherein the first estrogen receptor is an ERα.

37. The method according to claim 36, wherein the second estrogen receptor is an ERβ.

38. The method according to claim 30, wherein the cell is an endothelial cell.

39. The method according to claim 38, wherein the cell is a human umbilical vein cell.

40. The polypeptide fragment of claim 7, wherein the four copies of SRCR domains comprise the sequences as depicted in SEQ ID NOS: 3-6.

41. The polypeptide fragment of claim 7, having at least 46% sequence similarity to the catalytic domain of lysyl oxidase enzyme having an amino acid sequence as depicted as SEQ ID NO: 7.

42. The assay system of claim 26, wherein the transformed cells comprise two different populations.

43. The assay system of claim 42, wherein one population expresses the ERα estrogen receptor.

44. The assay system of claim 43, wherein the other population expresses the ERβ estrogen receptor.

45. A non-human EER-7 knockout animal, wherein endogenous EER-7 expression is suppressed in the animal.

46. A non-human animal transformed with a vector comprising a nucleic acid encoding a protein that regulates EER-7 expression, wherein the protein is operatively associated with an expression control sequence; wherein the animal expresses an EER-7 protein at a detectable level in response to estrogen.

47. A non-human animal transformed with a vector comprising a nucleic acid encoding the EER-7 protein of claim 1, wherein the animal expresses the EER-7 protein at a detectable level in response to estrogen.

48. An isolated polypeptide selected from the group consisting of: a) a fragment of a polypeptide comprising the amino acid sequence of SEQ ID NO: 2, wherein the fragment comprises at least 15 contiguous amino acids of SEQ ID NO: 2; b) an allelic variant of a polypeptide comprising the amino acid sequence of SEQ ID NO: 2, wherein the polypeptide is encoded by a nucleic acid molecule which hybridizes to a nucleic acid molecule consisting of SEQ ID NO: 1 under stringent conditions; c) a polypeptide which is encoded by a nucleic acid molecule comprising a nucleotide sequence which is at least 60% identical to a nucleic acid comprising the nucleotide sequence of SEQ ID NO: 1; d) a polypeptide comprising an amino acid sequence which is at least 60% identical to the amino acid sequence of SEQ ID NO: 2.

49. A method for identifying a compound which binds to a polypeptide of claim 48 which method comprises determining whether a test compound contacted with the polypeptide binds to the polypeptide.

50. The method of claim 49 wherein the polypeptide is not in or on the cell.

51. The method of claim 49 wherein the polypeptide is in or on the cell.

52. The method of claim 49 wherein the binding of the test compound to the polypeptide is detected by directly detecting binding of a test compound to the polypeptide.

53. The method of claim 49 wherein the binding of the test compound to the polypeptide is detected by detecting lysyl oxidase activity, wherein a change in lysyl oxidase activity indicates binding of the test compound to the polypeptide.

54. A method for modulating the activity of a polypeptide of claim 48, which method comprises contacting the polypeptide with a compound which binds to the polypeptide in a sufficient concentration to modulate the activity of the polypeptide.

55. The method of claim 54 wherein the polypeptide is not in or on the cell.

56. The method of claim 54 wherein the polypeptide is in or on the cell.

57. A method for identifying a compound which modulates the activity of a polypeptide of claim 48, which method comprises contacting the polypeptide with a test compound and determining the effect of the test compound on the activity of the polypeptide, wherein a change in the activity of the polypeptide indicates that the compound modulates the activity of the polypeptide.

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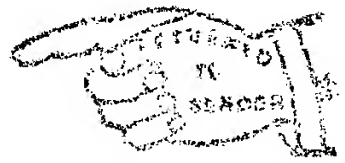

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